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Attorney for Defendant
ALEJANDRO ROSAS-CAMPIZ

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE ROGER T. BENITEZ)

UNITED STATES OF AMERICA, Plaintiff, v. ALEJANDRO ROSAS-CAMPIZ, Defendant.	Case No. 08cr1192 BEN ***FIRST AMENDED*** NOTICE OF MOTIONS AND MOTIONS: (1) TO COMPEL DISCOVERY; (2) PRESERVE EVIDENCE; (3) SUPPRESS EVIDENCE; (4) SUPPRESS STATEMENTS; AND (5) FOR LEAVE TO FILE FURTHER MOTIONS. Date: 9/8/2008 at 2:00 p.m.

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY; AND CARLOS ARGUELLO, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on **September 8, 2008, at 2:00 p.m.**, or as soon thereafter as counsel may be heard, Defendant, ALEJANDRO ROSAS-CAMPIZ, by and through his counsel, Oliver P. Cleary, will ask this Court to enter an order granting the following motions.

MOTIONS

Defendant, ALEJANDRO ROSAS-CAMPIZ, by and through his counsel, Oliver P. Cleary, pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an Order:

1. compelling discovery;
2. preserving evidence;
3. suppressing evidence;
4. suppressing statements; and
5. granting leave to file further motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and all other materials that may come to this Court's attention at the time of the hearing on these motions.

Dated: *August 28, 2008*

s/Oliver P. Cleary

Attorney for Defendant
Email: opcleary@pacbell.net

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. ALEJANDRO ROSAS-CAMPIZ, Defendant.	)	Case No. 08cr1192 BEN CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, OLIVER P. CLEARY, am a citizen of the United States and am at least eighteen years of age. My business address is 105 West F Street, Suite 411, San Diego, California 92101.

I have caused service of **NOTICE OF MOTIONS AND MOTIONS TO COMPEL DISCOVERY, PRESERVE EVIDENCE, SUPPRESS EVIDENCE, SUPPRESS STATEMENTS AND FOR LEAVE TO FILE FURTHER MOTIONS.**

The following recipients are currently on the list to receive e-mail notices for this case and have thus been served electronically at the following email addresses:

Carlos Arguello
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Wayne Charles Mayer
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U S Attorney CR
Efile.dkt.gc2@usdoj.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: *August 28, 2008*

s/Oliver P. Cleary

Attorney for Defendant
Email: opcleary@pacbell.net